

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF OKLAHOMA

ECF Policies & Procedures Manual

Summary of Substantive Changes to May 30, 2006 Revisions

I. Electronic Case Filing System

B. Registration

1. Attorneys who may register are those “who are admitted to practice in the Western District of Oklahoma”
3. Increased the number of courtesy email addresses from one (1) to two (2).
4. When an ECF registrant’s primary email address changes, the registrant should proceed as with other address changes and file a Notice of Change of Address. All forms are available on our website and are no longer attached to the Manual.

C. User Logins and Passwords

4. With regard to when to contact the Clerk’s office that a password may have been compromised, removed the word “immediately” and inserted the phrase “during normal office hours.”
6. With regard to when a registrant should change a password, removed the word “may” and inserted “should.”

II. Electronic Filing and Service of Documents

A. Filing

1. General Rules

b.

- x. Increased the size limit of a document from two (2) to five (5) megabytes
- xii. Added a new section to the list of electronic filing

exceptions by inserting “[e]mergency matters at the discretion of the Clerk.”

In the final paragraph of this section, filers are advised that if their document is one that is found in the exception list, they need not seek leave to file conventionally. Added language to this section instructing the filer to file a Notice of Conventional Filing using the form that can be found on our website.

- c. Increasing the size limit of a document from two (2) to five (5) megabytes
- f. Clarifying that the filing deadline is the due date, excluding times when the Clerk’s office is closed.

2. Initiating Documents in Civil Cases

- a. New miscellaneous cases will be handled like other new cases. State court pleadings should be submitted with removed cases. Separate .pdf file is required for each document sent to the new cases mail box. After the case has been opened, additional summonses may be obtained by filing a praecipe.
- c. Setting out the process for handling the payment of filing fees for new cases and setting out how the filing date will be established.

3. Filing Fees

- b. Providing instructions for fee generating events.

4. Exhibits, Attachments, & Appendices

- a. Inserted additional directions for labeling attachments - use numbers only and include a description of the exhibit.
- b. Requiring separate .pdf files for each item accompanying a Notice of Removal. Also directing the removing party to file a Notice of Pending Motions within one (1) business day after the case is opened.
- c. Increasing the size limit of a document from two (2) to five (5) megabytes.

5. Oversized Documents

Changing the delivery time for the courtesy copy of oversized documents from three (3) days to one (1) business day and providing an exception for offices located more than 50 miles from the courthouse.

B. Service

1. Service Through the ECF System

- a. After an attorney withdraws from the case, noticing will be discontinued. No need to make a separate request to stop noticing.
- c. Added a new section requiring litigants to provide interested parties copies of anything filed on a day the matter is scheduled for trial or hearing.

3. Certificate of Service

Federal Rule allowing three additional days for mailing is unnecessary as that period is already included in our Local Rule that calculates the eighteen (18) day response time from the date of filing.

C. Signatures

1. Attorney Signature

- a. At least one attorney of record must sign each filing.
- b. Deleted section that announced a Login and Password constituted a signature because this information appears in other documents.
- c. Advises users that some computer applications used to insert a signature filed may not be compatible with the ECF system.

E. Filing Errors

- 2. Court Clerk's office should be contacted during normal office hours, not "immediately" as was stated in the earlier version of this policy.

F. Technical Failures

1. Court's ECF System

- a. Maintenance on the ECF system will usually occur on Saturdays or Sundays between 8:00 a.m. and 5:00 p.m. Previous language stated maintenance would occur on Fridays, Saturdays, and Sundays between 3:00 a.m. and 7:00 a.m.

G. Orders and ~~Proposals~~ Proposed Papers

1. Orders Initiated by the Court

- c. Deleted section that required transmission of a paper copy of the Notice of Electronic Filing accompany the mailing or faxing of that document.

2. ~~Proposals~~ Proposed Papers Submitted by the Parties

- a. Added a new sentence - Scanned signatures may not be used on proposed papers submitted to the court.
- b. To the category of what things may be sent to a Judge's mailbox, added: settlement conference statements, proposals, and proposed papers.

3. Writ, Warrant, or Summons

Modified the language regarding the process to follow when submitting a writ, warrant, or summons. Because a Judge's signature often needs to be added, these documents should not be submitted in .pdf format

H. Privacy

1. Redacted Documents

- a. Minor's names - removed language that directed use of initials and inserted: Refer to the child in the manner that most effectively shields the identity of the minor in the context of the proceeding (i.e., by initials; by symbol [Child A, Child B]; as Doe 1, Doe 2, or by the child's status in the litigation [Witness, Victim, Ward, Beneficiary])

2. Unredacted Documents

- b. Filer required to provide original and one (1) copy of all unredacted papers.

III. Conventional Filing of Documents

If a document is conventionally filed by someone other than Court staff, a Notice of Conventional Filing must also be filed.

A. Documents to be Filed Under Seal

Items filed under seal, and thus filed conventionally, should be limited to the pertinent portion of the document. The entire document should not be filed under seal unless the circumstances so dictate.

D. Habeas and Prisoner Litigation

- 1. State court records and transcripts shall be conventionally filed but not conventionally served.

E. Service of Conventionally Filed Documents

- 2. Deleted first sentence. Inserted language directing the filer to serve conventionally where required by rule or order.
- 3. If a document is conventionally filed by someone other than Court staff, a Notice of Conventional Filing must also be filed unless the document is an *ex parte* submission or a document signed by a defendant in a criminal case.

IV. Public Access to the ECF System

B. Remote Access

2. Public Access to Criminal Case Records

Remote viewing of papers filed in criminal cases before November 1, 2004 is restricted to attorneys of record. Papers filed after that date may be viewed remotely.

Glossary of Terms

The Notice of Electronic Filing (“NEF”) is the official file stamp. The time in which the hyperlink in the NEF remains available was reduced from 30 to 15 days.